

## **REMARKS**

Claims 1, 2, 7-10, 29, 32, 34 and 35 are pending in the application. By this Amendment, Claims 1, 7-9 and 29 are amended, Claims 4-6 are canceled without prejudice or disclaimer of the subject matter contained therein, and Claims 34 and 35 are added. Favorable reconsideration is respectfully requested in light of the following Remarks.

Applicant gratefully acknowledges the courtesies extended to Applicant's representative during the August 31, 2009 telephone Interview. The sum and substance of the Interview is contained in the above Amendment and following Remarks.

### **I. Miscellaneous**

The Office action objects to Claims 1 and 29 asserting that the claims are awkwardly worded because it appears that the apparatus is based on censored data, rather than the predicted value or the model. The objection is respectfully traversed.

By this Amendment, independent Claims 1 and 29 is amended to more clearly recite that the model is based on censored data. Withdrawal of the objection is respectfully requested.

### **II. The Claims Define Statutory Subject Matter**

The Office action rejects Claims 1, 2, 4-10, 29 and 32 under 35 U.S.C. 101 asserting that Claims 1 and 29 are directed to non-statutory subject matter. The rejection is respectfully traversed.

By this Amendment, independent Claims 1 and 29 is amended to further define that a predicted value is generated using a model that is based on censored data collected from a multi-stage business operation using an electronic data processing apparatus, the predicted value containing an error attributed to information that is missing from the censored data within a specified time interval. Independent Claims 1 and 29 further include the step of controlling the multi-stage business operation based on an electrical signal that is representative of an output result that includes probability

information associated with the output result. Thus, Applicant respectfully submits that the claimed invention, as amended, is limited to a particular practical application of a judicially recognized exception and is eligible for patent protection because it does not pre-empt substantially all practical uses of the judicially recognized exception.

For at least this reason, Claims 1 and 29 define patentable subject matter, and the rejection of Claims 1 and 29 under 35 U.S.C. 101 is misplaced. Withdrawal of the rejection is respectfully requested.

New dependent Claims 34 and 35 further define that the model for generating a predicted value for the multi-stage business operation comprises a plurality of sub-models that correspond to a respective stage of the multi-stage business operation. Support for this feature can be found throughout the specification. For example, see *Fig. 2; Page 15, first full paragraph; Page 16, second full paragraph-Page 17, second full paragraph*.

It is respectfully submitted that at least this feature is not disclosed, taught or suggested in the applied art, taken singly or in combination. For at least this reason, Claims 34 and 35 are allowable over the applied art, taken singly or in combination.

### **III. Conclusion**

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of the application is earnestly solicited.

Should Examiner Kardos believe anything further would be desirable in order to place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

It is believed that any additional fees due with respect to this paper have already been identified. However, if any additional fees are required in connection with the filing of this paper, permission is given to charge account number 07-0868 in the name of General Electric Company.

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Respectfully submitted,

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